

## HB 3130 - DIGEST

Provides that smoking by residents living in assisted living facilities, veterans' homes, boarding homes, nursing homes, and adult family homes is permitted in a designated smoking area if the home or facility meets the following standards: (1) No designated smoking area may be located in a common area including, but not limited to, entrances, lobbies, hallways, dining rooms, activity rooms, and meeting rooms, where employees, visitors, or nonsmoking residents are required to enter or pass through for work, visits, or services.

(2) An indoor designated smoking area must be separated by a floor to ceiling physical barrier from adjacent nonsmoking areas. The smoking area must be identified clearly with signs. The facility or home must maintain sufficient negative air pressure in the designated smoking area to prevent smoke from migrating into nonsmoking areas. The enclosed smoking area must have a ventilation or filter system or both that meets the permissible indoor air exposure limits for vapor phase nicotine and carbon monoxide, as measured by the stricter of the standards set by the United States department of labor, occupational safety and health administration, the Washington state department of labor and industries, or the Washington state department of health. Facilities and homes whose designated smoking areas met these standards as they existed before the enactment of Initiative Measure No. 901 may continue to use those designated smoking areas. The department of labor and industries and the department of health may review existing rules and adopt new rules if needed to better protect staff, visitors, and nonsmoking residents from second-hand smoke.

(3) An outdoor designated smoking area must be covered and protected from inclement weather, clearly identified with signs, and reachable by a nonhazardous pathway. The outdoor designated smoking area may be located no closer than fifteen feet from entrances, exits, open windows, and ventilation intakes that serve an enclosed nonsmoking area. The outdoor area must be enclosed on at least two sides to minimize smoke infiltration into the home or facility, and must have an outdoor filter system to absorb smoke when the smoking area is in use.

(4) Prospective employees and residents must be informed as to whether the home or facility has a designated smoking area. No employee may be required to enter a designated smoking area while someone is smoking there. Cleaning and maintenance of the designated smoking area must not occur when smokers are present. Persons under the age of eighteen are prohibited from entering or performing any duties in a designated smoking area.